

JAN 12 2006

SQUIRE, SANDERS &amp; DEMPSEY L.L.P.

# SQUIRE SANDERS

LEGAL  
COUNSEL  
WORLDWIDE

One Maritime Plaza, Suite 300  
San Francisco, CA 94111-3492  
Office: +1.415.954.0200  
Fax: +1.415.393.9887

Preferred Fax: \_\_\_\_\_  
If Problems: \_\_\_\_\_

January 12, 2006

FAX 415 393 9887

**PLEASE DELIVER THESE PAGES IMMEDIATELY**Number of Pages (including cover): **5****TO:** Examiner Hieu Phan, Art Unit 3738**FAX No.:** (571) 273-8300**COMPANY:** USPTO**PHONE No.:** (571) 272-4757**FROM:** Angie Augustus**DIRECT DIAL No.:** 415-954-0345**E-MAIL:** aaugustus@ssd.com**RE:** Application No. 09/748,412**Message:****Please see attached.****CONFIDENTIALITY NOTICE:**

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Transmittal Form  
Request for Continued Examination (RCE) Transmittal  
Fee Transmittal (in duplicate)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## TRANSMITTAL FORM

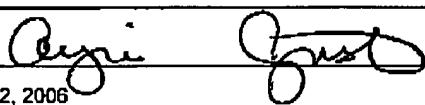
(to be used for all correspondence after initial filing)

		Application Number	09/748,412
		Filing Date	December 21, 2000
		First Named Inventor	Wouter E. Roorda
		Group Art Unit	3738
		Examiner Name	Hieu Phan
Total Number of Pages in This Submission	3	Attorney Docket Number	50623.26

## ENCLOSURES (check all that apply)

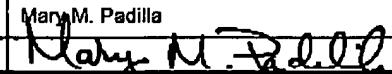
<input checked="" type="checkbox"/> Deposit Account 07-1850 Authorization <input type="checkbox"/> Postage Paid Return Postcard <input type="checkbox"/> Response To Office Action <input type="checkbox"/> Amendment Transmittal Letter <input type="checkbox"/> Statement of Common Ownership <input type="checkbox"/> Petition for Extension of Time ( months) (1 page) (in duplicate) <input type="checkbox"/> Information Disclosure Statement (in duplicate) with Form PTO-1449 citing References <input type="checkbox"/> Express Mail Label No. <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) In/Formal _____ Sheets with Submission of Drawings Transmittal <input type="checkbox"/> Issue Fee Transmittal with PTO-85b (in duplicate) <input checked="" type="checkbox"/> Request for Continued Examination Transmittal (RCE) (1 page) (in duplicate) <input checked="" type="checkbox"/> Fee Transmittal (1 page) (in duplicate) <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Statement of Common Ownership (1 page) <input type="checkbox"/> Request for Status of Application <input type="checkbox"/> Other: _____
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Squire, Sanders & Dempsey LLP. Angie Augustus, Reg. No. 51,421
Signature	
Date	January 12, 2006

## CERTIFICATE OF MAILING

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Typed or printed name	Mary M. Padilla
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Date	January 12, 2006

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

**Address to:**  
Commissioner for Patents  
Mail Stop RCE  
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<i>Application Number</i>	09/748,412
<i>Filing Date</i>	December 21, 2000
<i>First Named Inventor</i>	Wouter E. Roorda
<i>Art Unit</i>	3738
<i>Examiner Name</i>	Hieu Phan
<i>Attorney Docket Number</i>	50623.26

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. 1.114**

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on \_\_\_\_\_.  
(Any unentered amendment(s) referred to above will be entered).
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
  - iii.  Other: Amendment/Response mailed December 30, 2006, via Express Mail Label EV 763797982 US
- b.  Enclosed
  - i.  Amendment/Response
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other \_\_\_\_\_

2. **Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(l) required)
- b.  Other \_\_\_\_\_

3. **Fee** The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 07-1850

- i.  RCE fee required under 37 C.F.R. 1.17(e)
- ii.  Extension of time fee (37 C.F.R. 1.156 and 1.17)
- iii.  Other: \_\_\_\_\_

- b.  Check in the amount of \$ \_\_\_\_\_ enclosed

- c.  Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print /Type)	Angle Augustus	Registration No. (Attorney/Agent)	51,421
Signature		Date	January 12, 2006

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Name (Print /Type)	Mary M. Padilla
Signature	

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PAGE 4/5 \* RCVD AT 1/12/2006 6:26:53 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/24 \* DNIS:2738300 \* CSID:415 393 9887 \* DURATION (mm:ss):0146

01/13/2006 SFELEKE1 00000013 071850 09748412

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## FEE TRANSMITTAL

## TOTAL AMOUNT OF PAYMENT

Subtotal (1) + Subtotal (2) + Subtotal (3) = \$790.00

Complete if Known	
Application Number	09/748,412
Filing Date	December 21, 2000
First Named Inventor	Wouter E. Roorda
Group Art Unit	3738
Examiner Name	Hieu Phan
Attorney Docket Number	50623.26

## METHOD OF PAYMENT

## 1. The Commissioner is hereby authorized to:

Charge the indicated fees to the below mentioned deposit account.

Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account.<sup>†</sup>

Applicant claims small entity status. See 37 CFR 1.27.

Deposit Account Number: 07-1850  
Deposit Account Name: Squire, Sanders & Dempsey

A Duplicate Copy of this authorization is attached

2.  Payment Enclosed:  
[ ] Check [ ] Other

## FEE CALCULATION (continued)

## FEE CALCULATION (fees effective 10/1/01)

## 1. FILING FEE

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due
1011/\$300	2011/\$150	Utility Filing	<input type="text"/>
1017/\$200	2017/\$100	Design Filing	<input type="text"/>
1014/\$300	2014/\$150	Reissue	<input type="text"/>
1005/\$200	2005/\$100	Provisional Filing	<input type="text"/>
<b>SUBTOTAL (1)</b>		<b>(\$)</b> 0	

## 2. CLAIMS

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description
1202/\$50	2202/\$25	Claims in excess of 20
1201/\$200	2201/\$100	Independent claims in excess of 3
1203/\$360	2203/\$180	Multiple dependent claim

3. ADDITIONAL FEES	Fee Description	Fee Due
Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	
1051/\$130	2051/\$65	Surcharge - late filing fee or oath
1052/\$50	2052/\$25	Surcharge-late provisional filing fee or cover sheet
147/\$2,520	147/\$2,520	For filing a request for reexamination
1251/\$120	2251/\$60	Extension for response within first month <sup>†</sup>
116/\$450	2252/\$225	Extension for response within second month <sup>†</sup>
1253/\$1,020	2253/\$510	Extension for response within third month <sup>†</sup>
1254/\$1,590	2254/\$795	Extension for response within fourth month <sup>†</sup>
1255/\$2,160	2255/\$1,080	Extension for response within fifth month <sup>†</sup>
1401/\$500	2401/\$250	Notice of Appeal
1453/\$1,500	2453/\$750	Petition to revive unintentionally abandoned Application
1501/\$1,400	2501/\$700	Utility Issue Fee (Or Reissue)
1502/\$800	2502/\$400	Design Issue Fee
122/\$130	122/\$130	Petitions to the Commissioner
123/\$50	123/\$50	Petitions related to provisional applications
1805/\$180	1806/\$180	Information Disclosure Statement
581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)
1809/\$790	2809/\$395	Filing a submission after final rejection (37 CFR 1.129(a))
1801/\$5790	2801/\$395	Request for Continued Examination (RCE)
Other fee (specify):		<input type="text"/>
Other fee (specify):		<input type="text"/>
<b>SUBTOTAL (3)</b>		<b>(\$)</b> 790.00

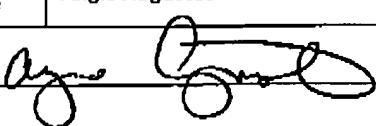
(Col. 1)	(Col. 2)	(Col. 3)	
For	No. of Existing Claims	Highest No. Previously Paid For	Extra <sup>**</sup>
TOTAL	minus*	20 or	= 0 x \$50 = \$0
INDEP	minus*	3 or	= 0 x \$200 = \$0

[ ] First presentation of multiple dependent claim

\* Subtract the greater number of Col. 2

\*\* If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3

SUBTOTAL (2) (\$0)

SUBMITTED BY		Complete (If applicable)	
Typed or Printed Name	Angie Augustus	Reg. Number	51,421
Signature		Date	January 12, 2006